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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,780	11/08/2001	Jane Dashevsky	ITL.0687US (P13046)	1349

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EXAMINER
GESESSE, TILAHUN

ART UNIT	PAPER NUMBER
2618	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 February 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claims 1-15 have been considered but are

moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Phillips (US 6,748,195) in view of Leibu et al (US 6.772,048).

Claim 1,Phillips teaches a method for handling the system-wide state of a

wireless device through the host controller interface firmware (see column 4,

lines 37-45, column 3, lines 62-68 and figure 1, in which radio module host controller

interface or HCI firmware (25) provides command interface and access to hardware

status and control " system-wide" handling a uniform method of accessing the base-

band capabilities.

Phillips teaches handling the state of each link with the device through the link

controller carries out the base-band protocols (see column 4, lines 8-24).

Phillips does not teach link manger firmware. However, Leibu teaches wireless

communication with link manager firmware (column 3, lines 5-32 and figure 3-4).

Phillips and Leibu both teach Bluetooth protocol, then, it would have been

obvious to an artisan of ordinary skill in the art at the time the invention was made to

modify Phillips in controlling link of the communication device using link manager

firmware, as evidenced by Leibu, for controlling the wireless device link operation.

Claim 2 phillips teaches initiating communications with connection and link

management (see column 4, lines 37-45, column 3, lines 62-68 and figure 1).

Claim 3, Phillips teaches establishing a connection between the device and

end point (see column 4, lines 8-24 and figure 1).

Claim 4, Phillips teaches handling base band handshaking through the host

controller interface firmware (column 4, lines 28-30 , HCI firmware 25, provides a

uniform method of accessing the base-band capabilities).

Claim 5, Phillips teaches handling logical link connection through the link

manager (see column 4, lines 8-24).

Claim 6. Phillips teaches an article comprising a medium storing instructions (306

of figure 3) that enable a processor-based system handling the system-wide state of a

wireless device through the host controller interface firmware (see column 4, lines 37-

45, column 3, lines 62-68 and figure 1, in which radio module host controller interface or

HCI firmware (25) provides command interface and access to hardware status and

control " system-wide" handling a uniform method of accessing the base-band

capabilities.

Phillips teaches handling the state of each link with the device through the link

controller carries out the baseband protocols (see column 4, lines 8-24).

Phillips does not teach link manger firmware. However, Leibu teaches wireless

communication with link manager firmware (column 3, lines 5-32 and figure 3-4).

Phillips and Leibu both teach Bluetooth protocol, then, it would have been

obvious to an artisan of ordinary skill in the art at the time the invention was made to

modify Phillips in controlling link of the communication device using link manager

firmware, as evidenced by Leibu, for controlling the wireless device link operation.

Claim 7 Phillips teaches storing instructions (306 of figure 3) that enable the

processor-based system to initiate communications with connection and link

management (see column 4, lines 37-45, column 3, lines 62-68 and figure 1).

Claim 8 Phillips teaches storing instructions that enable the processor-based

system to establish a connection between the device and an end point(see column 4,

lines 8-24).

Claim 9 , Phillips teaches storing instructions that enable the processor-based

system to handle base band handshaking through the host controller interface firmware

(column 4, lines 28-30 , HCI firmware 25, provides a uniform method of accessing the

base-band capabilities).

Claim10, Phillips teaches storing instructions that enable the processor-based

system to handle logical link connection through the link manager see column

4, lines 8-24)..

Claim 11, Phillips teaches a wireless system comprising: a processor; and a

storage coupled to the processor storing instructions that enable the processor

handling the system-wide state of a wireless device through the host controller interface

firmware (see column 4, lines 37-45, column 3, lines 62-68 and figure 1, in which radio

module host controller interface or HCI firmware (25) provides command interface and

access to hardware status and control " system-wide" handling a uniform method of

accessing the base-band capabilities.

Phillips teaches handling the state of each link with the device through the link

controller carries out the baseband protocols (see column 4, lines 8-24).

Phillips does not teach link manger firmware. However, Leibu teaches wireless

communication with link manager firmware (column 3, lines 5-32 and figure 3-4).

Phillips and Leibu both teach Bluetooth protocol, then, it would have been

obvious to an artisan of ordinary skill in the art at the time the invention was made to

modify Phillips in controlling link of the communication device using link manager

firmware, as evidenced by Leibu, for controlling the wireless device link operation.

Claim 12 , Phillips teaches the storage stores instructions that enable the

processor to initiate communications with connection and link management (see column

4, lines 37-45, column 3, lines 62-68 and figure 1)..

Claim 13, Phillips teaches the storage stores instructions that enable the

processor to establish a connection between the system and a remote end point(see

column 4, lines 8-24 and figure 1)..

Claim 14, Phillips teaches the storage stores instructions that enable the

processor to handle base-band handshaking through the host controller interface

firmware(column 4, lines 28-30, HCI firmware 25, provides a uniform method of

accessing the base-band capabilities).

Claim 15, Phillips teaches the storage stores instructions that enable the

processor to handle logical link connection through the link manager firmware see

column 4, lines 8-24).

Conclusion

4.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Tilahun B Gesesse whose telephone number is 571-

272-7879. The examiner can normally be reached on flexible schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edward Urban can be reached on 571-272-7899.

The Central FAX Number is 571-273-8300. For patent related

correspondence, hand carry deliveries must be made to the Customer Service

Window (now located at the Randolph Building, 401 Dulany Street, Alexandria,

VA 22314), and facsimile transmissions must be sent to the Central FAX number .

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TG

May 12, 2007

TILAHUN GESESSE
PRIMARY EXAMINER